

# Notice of Allowability

Application No.

10/796,355

Examiner

Richard M. Lorence

Applicant(s)

NAKAMURA ET AL.

Art Unit

3681

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment and terminal disclaimer filed on December 1, 2005.
2. ☒ The allowed claim(s) is/are 1-16 and 18-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☒ None of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 12/1/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

#### **The application has been amended as follows:**

In line 9 of claim 18 "and" has been deleted.

In line 13 of claim 18 "spindle." has been changed to -- spindle; and --.

In line 1 of claim 20 "further comprising a" has been changed to -- wherein the --.

In line 2 of claim 20 "and having" has been changed to -- has --.

### **REASONS FOR ALLOWANCE**

The amendment filed on December 1, 2005 has been entered. Claim 17 has been cancelled and claims 18, 19 and 21 have been amended.

The terminal disclaimer filed on December 1, 2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,702,090 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claims 1-16 and 18-21 are allowed.

The following is an examiner's statement of reasons for allowance:

None of the prior art of record shows or suggests a spindle lock for a power tool including the first and second locking members, the wedge, the spring and the detent arrangement as set forth in claim 1, and particularly wherein the detent arrangement includes first and second recesses and a projection engaged by the spring and selectively positioned in the first and second recesses, and further wherein movement of the projection from the first recess delays movement of the wedge from the unlocked position to the locked position when the spindle is rotated in a first direction, and movement of the projection from the second recess delays movement of the wedge from the unlocked position to the locked position when the spindle is rotated in a second direction.

Nor does the prior art of record show or suggest a spindle lock for a power tool including the first and second locking members, the spring and the projection as set forth in claim 10, and particularly wherein the spring includes a first recess and a second recess, and at least a portion of the projection being selectively positioned in the first recess and the second recess, and further wherein movement of the projection from the first recess delays movement of the second locking member from the unlocked position to the locked position when the spindle is rotated in a first direction, and movement of the projection from the second recess delays movement of the second locking member from the unlocked position to the locked position when the spindle is rotated in a second direction.

Nor does the prior art of record show or suggest a spindle lock for a power tool including the first and second locking members, the drag element and the delay plate as set forth in claim 18, and particularly wherein the first locking member defines a drag surface, the drag element is positioned adjacent to the drag surface and is engageable with the drag surface to resist rotation of the second locking member with respect to the first locking member when a force is applied to the spindle to cause the spindle to rotate relative to the driving connection and when the force is removed from the spindle, and the delay plate is positioned adjacent to the first locking member and operable to apply an axial force to the drag element and the drag surface and to resist rotation of the second locking member with respect to the first locking member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on December 1, 2005 has been considered by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Lorence whose telephone number is (571) 272-7094. The examiner can normally be reached on Mondays through Fridays from 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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Primary Examiner  
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Lorence/rml